

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

DECISION AND ORDER
07-CR-245S

MONAE DAVIS, et al.,

Defendant.

1. On July 30, 2008, the Honorable Hugh B. Scott, United States Magistrate Judge, filed a Report and Recommendation recommending that various pretrial motions to suppress be denied. (Docket No. 185.) Judge Scott filed an additional Report and Recommendation on September 23, 2008, clarifying that his initial Report and Recommendation applied to two additional defendants who had joined in the initial motions. (Docket No. 197.)

2. Defendants John Lee, Kevin Glowacki, Jimi Lin Gourley, and Raheim Howell filed timely Objections to Judge Scott's Report and Recommendation in accordance with 28 U.S.C. § 636(b)(1)(C) and Local Rule 72.3(a)(3). (Docket Nos. 187, 189, 191, 199.) The Government filed its response on October 22, 2008. (Docket No. 203.)

3. This Court has thoroughly reviewed Judge Scott's Report and Recommendations, Defendants' Objections thereto, and the applicable law. Upon due consideration, this Court finds no legal or factual error in Judge Scott's Report and Recommendations. Accordingly, Defendants' Objections are denied and this Court will accept Judge Scott's Report and Recommendations in their entirety.

IT HEREBY IS ORDERED, that this Court accepts Judge Scott's Report and Recommendations (Docket No. 185 and 197) in their entirety, including the authorities cited and the reasons given therein.

FURTHER, that Defendants' Objections (Docket Nos. 187, 189, 191, 199) are DENIED.

FURTHER, that the pretrial motions to suppress evidence filed by Defendants (Docket Nos. 131, 132, 134, 135, 139, 140, 142, 143, 144, 146, 147, 148, 151, 152, 154, 155, 156, 157, 169, 170, 171, 172, 173, 174, 179) are DENIED.

SO ORDERED.

Dated: November 25, 2008
Buffalo, New York

/s/William M. Skretny
WILLIAM M. SKRETNY
United States District Judge